

- 451. Post hearing comments from Mary E. Ward, Senior Counsel, Research and Development, R.J. Reynolds Tobacco Company, dated September 1, 1995, with numerous attachments behind 16 tabs.
- 452. Post hearing comments from Thomas P. Houston, MD, American Medical Association, dated August 31, 1995, submitting comments and documents relating to indoor air quality, with 14 attachments.
- 453. Additional post hearing data and information from Mark A. Kohorst, Washington Technical Information Group, Inc., dated August 31, 1995, with 68 attachments.
- 454. Post hearing comments from William J. Butler, Ph.D., Managing Principal, Biostatistics and Epidemiology, ChemRisk®, dated September 1, 1995, with numerous attachments.
- 455. Post hearing comments from H. Daniel Roth, Roth Associates, Inc., dated September 1, 1995, with 18 attachments.
- 456. Post hearing comments from Michael Hodgson, MD, MPH., dated August 31, 1995.
- 457. Post hearing comments from Amanda Halley, dated August 31, 1995, forwarding a survey titled "Opinions of the Northern Nevada Gaming Industry Regarding Proposed Federal Regulations on Indoor Air Quality," prepared for the Northern Gaming Industry Association by The McMullen Strategic Group, dated November 1994.
- 458. Partial post hearing comments submitted by Mary E. Ward, Senior Counsel, Research and Development, R.J. Reynolds Tobacco Company, dated September 1, 1995, submitting reports prepared by Gradient Corporation, with 103 attachments.
- 459. Post hearing comments from Richard W. Niemeier, Ph.D., Acting Director, Education and Information Division, National Institute for Occupational Safety and Health (NIOSH), dated September 1, 1995, with 249 attachments.

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460. Book entitled "Applied Foodservice Sanitation. A Certification Coursebook," 4th edition, 1992, pages 181 and 251. THIS DOCUMENT WAS SEPARATED FROM EXHIBIT 478. PLEASE SEE EXHIBIT 478H.
461. Letter from Stephen J. Caldeira, Executive Director, Total Indoor Environmental Quality Coalition, to Thomas Hall, Division of Consumer Affairs, OSHA, dated October 26, 1994, cancelling schedule appearance at public hearing.
462. Final version of oral testimony of Robert J. McCunney, M.D., M.P.H., Director, Environmental Medical Service, Massachusetts Institute of Technology, dated November 29, 1994.
463. Letter from Roxanne Cabral, Special Assistant to the President, Safety Specialist, American Postal Workers Union, AFL-CIO, to Thomas Hall, Division of Consumer Affairs, OSHA, dated December 13, 1994, cancelling testimony at the public hearings, with attachments.
464. CV for Judith Adele Plotkin.
465. Letter from W.B. Rossnagel, Consultant, W.E.B. Engineering, Inc., to Susan Sherman, U.S. Department of Labor, dated December 2, 1994, submitting materials requested at the OSHA indoor air quality public hearings.
466. Letter from John H. O'Hara, to Tom Hall, OSHA, dated February 20, 1995, submitting materials requested at the OSHA indoor air quality public hearings.
467. Post hearing submission from William J. Butler, Ph.D., Managing Principal, Biostatistics and Epidemiology, ChemRisk®, dated August 15, 1995, submitting a copy of a letter to Judge Vittone asking for an extension of the post hearing comment period.
468. Post hearing comments from Jason F. Pierce, Funeral Director, Layton-Perry Funeral Home, dated August 29, 1995, submitting additional comments supporting his testimony.

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- 469. Post hearing comments from Gayle Woerishofer, Controller, Argo Industries, Inc., dated August 27, 1995, submitting additional information requested during his testimony.
- 470. Post hearing comments from A. Springall, B.Sc., Ph.D., C. Stats, Statistical and Computing Service, dated August 8, 1995, submitting corrections to testimony at the public hearing and additional information as requested.
- 471. Post hearing comments from Dr. Arthur Greenberg, dated August 17, 1995, submitting a supplementary discussion of differences between fresh and aged tobacco smoke ("environmental tobacco smoke").
- 472. Post hearing submission from Mark Van Ert, Ph.D., C.I.H, The University of Arizona, dated August 21, 1995, with corrections or clarifications pertaining to his testimony and additional information or clarification relative to his testimony.
- 473. Post hearing comments of the Virginia Group to Alleviate Smoking in Public, Inc., in a letter from Anne Morrow Donley, dated August 31, 1995, with attachments.
- 474. Post hearing submission of A.T. Van Etten, President, Griffin and Company, Inc., dated August 31, 1995, submitting additional information requested at the public hearings.
- 475. Post hearing comments from Steve M. Hays, P.E., C.I.H., Chairman, Gobbell Hays Partners, Inc., dated August 31, 1995, submitting corrections to his testimony and additional comments.
- 476. Post hearing comments from Professor J.W. Bridges, Director of Research, Robens Institute, dated August 31, 1995, submitting transcript corrections, answers to question raised during his testimony and comments on a perspective of combustion products on health.
- 477. Addendum to post-hearing testimony from Professor John R. Ashford.

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478. Letter from William P. Fisher, Ph.D., Executive Vice President, National Restaurant Association, dated October 28, 1994, submitting additional materials requested by OSHA during his testimony at the public hearings.
479. Post hearing submission from Neal L. Benowitz, M.D., Professor of Medicine, Chief, Division of Clinical Pharmacology and Experimental Therapeutics, University of California, San Francisco, dated September 1, 1995, responding to questions raised by other experts during his testimony.
480. Post hearing submission from A. Judson Wells, dated September 1, 1995, regarding heart disease and passive smoking.
481. Post hearing comments from D. Alan Douglas, Treasurer, Bowling Proprietors' Association of America, Inc., dated August 31, 1995, supplementing and expanding upon the testimony given at the OSHA public hearings on indoor air quality.
482. Post hearing comments corrections to: "Environmental Tobacco Smoke exposures in the Present-Day Workplace: Analysis for OSHA's Risk Assessment," dated July 1, 1995, sent in by Lawrence B. Gratt and William R. Chappell, IWG, Inc., in a letter dated August 11, 1995.
483. Post hearing comments from the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), in a letter from Rex L. Tingle, Industrial Hygienist, dated August 28, 1995.
484. Late post hearing comments from the American Dental Association, in a letter dated September 6, 1995 from John S. Zapp, D.D.S., Executive Director.
485. Late post hearing comments from Ergotec Association, Inc., in a letter from Bert Dumpé, Principal, dated September 11, 1995, with attachments.
486. Late post hearing comments from Joe R. Aubrey dated September 18, 1995, supplementing his testimony at the OSHA public hearings.

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487. Order Denying Motions to Disqualify the Written Phillip Morris Testimony and All Cross Examination Performed by Phillip Morris's Representatives. From Acting Chief Administrative Law Judge John M. Vittone, dated September 14, 1995.
- A. Motion from the Virginia Group to Alleviate Smoking in Public, Inc. (GASP), dated August 31, 1995, disqualify all cross examination question by any attorney hired by Philip Morris or the Tobacco Institute.
488. Post hearing submission from Elia M. Sterling, President, Theodor D. Sterling and Associates Ltd., dated August 22, 1995, submitting three manuscripts that reflect a refinement of the scientific evidence included in their original submission.
489. Letter from Patrick R. Tyson, Constangy, Brooks and Smith, Attorney for Philip Morris Companies, Inc., to Administrative Law Judge John Vittone, dated September 20, 1995, enclosing a copy of Philip Morris' and Constangy, Brooks and Smith opposition to Virginia GSAP's Motion to Disqualify Certain Evidence from the Indoor Air Quality record.
490. Letter from Michael D. Granston, Covington and Burling, Counsel for the Tobacco Institute, to Administrative Law Judge John M. Vittone, dated September 20, 1995, enclosing the Tobacco Institute's Opposition to GASP's Motion to Disqualify Cross-Examination Questions and Post Hearing Comments.
491. Post hearing brief from Ellen V. Sigal, Sigal Environmental Inc., to the OSHA Docket Office, dated October 9, 1995.
492. Motions to extend the post hearing comment period. (See Attachment X)
- A. Letter from Susan J. Sherman, Assistant Counsel for Standards, Office of the Solicitor, to Honorable Judge John M. Vittone, Acting Chief Administrative Law Judge, dated October 20, 1995, asking for denial of the 120-day extension request by requestors in exhibit 492.

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ATTACHMENT X
Exhibit 492

- 492-1. Patrick R. Tyson
Neal H. Wasser
Counsel for Philip Morris
Constangy, Brooks and Smith
Suite 2400
230 Peachtree Street, NW
Atlanta, GA 30303-1557
- 492-2. William J. Butler, Ph.D.
Managing Principal
Biostatistics and Epidemiology
ChemRisk
1135 Atlantic Avenue
Alameda, CA 94501
- 492-3. Clausen Ely, Jr.
Michael G. Michaelson
Michael D. Granston
Counsel for the Tobacco Institute
Covington and Burling
1201 Pennsylvania Avenue, NW
P.O. Box 7566
Washington, DC 20044-7566
- 492-4. Mary E. Ward
Senior Counsel
Research and Development
R.J. Reynolds Tobacco Company
Winston-Salem, NC 27102

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- B. Order Granting Extension for Filing in Second Part of Post-Hearing Comment Period from John M. Vittone, Acting Chief Administrative Law Judge, dated October 24, 1995, with copy of recommendation from Susan Sherman, SOL.
 - C. Notice from John M. Vittone, Acting Chief Administrative Law Judge, to the Hotel Employees and Restaurant Employees International Union, dated October 26, 1995, denying its request to extend the post hearing comment period.
 - D. Order Granting Extension for Filings in Second Part of Post-Hearing Comment Period from John M. Vittone, Acting Chief Administrative Law Judge, dated January 11, 1996.
493. Late post hearing submission from Bradford V. Frisby, Assistant General Counsel, National Mining Association, dated October 17, 1995, regarding smoking policy survey conducted by the American Mining Congress.
494. Late submission from Eleanor Lee Saufley, Builders Supply, dated October 12, 1995, forwarding another copy of her post hearing submission because the original was not received in the OSHA Docket Office.
495. Letter from Ronald L. Motley, Ness, Motley, Loadholt, Richardson and Poole, to Honorable John Vittone, Administrative Law Judge, dated October 31, 1995, regarding the extension of the comment period to OSHA's Proposed Rulemaking on Indoor Air Quality.
496. Post hearing summation from Lawrence B. Gratt and Willard R. Chappell, IWG Corporation, dated October 28, 1995.
497. Post hearing submission from Howard Egberman, AFGE Health and Safety Representative, dated November 2, 1995, regarding legionnaires' disease.
498. Post hearing submission from Theodor D. Sterling, Professor, Simon Fraser University, dated November 20, 1995, with copies of four post hearing comments.

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- A. Sterling, Theodor D., Wilfred L. Rosenbaum and James J. Weinkam. Post hearing comments: Pertaining to the Confounding of Paraoccupational Exposure with Apparent Effects of Exposure to ETS. June 13, 1995.
 - B. Sterling, T.D., J.J. Weinkam and W.L. Rosenbaum. Post Hearing Comments on Repace's and Lowery's Well-Known Estimate of 5,000 Deaths Annually in the U.S. Population From Exposure to ETS and Reply to Their Rebuttal of Criticism. November 17, 1995.
 - C. Sterling, T.D., W.L. Rosenbaum and J.J. Weinkam. Post Hearing Comments: Do Spousal Studies of the Effects of ETS Mask a Serious Epidemic Due to Para-Occupational Exposure? November 17, 1995.
 - D. Rosenbaum, W.L., T.D. Sterling and James J. Weinkam. Post Hearing Comments: Linear Extrapolation Models of Lung Cancer Risk Associated with Exposure to Environmental Tobacco Smoke. September 19, 1995.
499. Post hearing submission of the Chelsea Group Limited in a letter dated December 22, 1995 from George Benda, Chairman and Chief Executive Officer.
500. Post hearing submission of the Chelsea Group Limited dated December 22, 1995 from George Benda, Chairman and Chief Executive Officer.
501. Post hearing submission of the National Economic Research Associates, Inc. dated December 20, 1995 from Albert L. Nichols with attachments titled "Summary of Comments on OSHA's Economic Analyses of Restrictions on Smoking in the Workplace" and "Review of Post-Hearing Comments on Economic Aspects of OSHA's Proposed Smoking Rules."
502. Post hearing submission from Sara Mahler, American Smokers Alliance, dated December 18, 1995, regarding environmental tobacco smoke.
503. Additional post hearing submission from the Chelsea Group Limited dated January 10, 1996 from George Benda, Chairman and Chief Executive Officer.

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504. Final post-hearing comments from Gordon W. Newell, Ph.D., F.-A.T.S., Consultants in Toxicology, dated January 11, 1996.
505. Post-hearing comments from Theodor D. Sterling, Simon Fraser University, dated January 11, 1996.
506. Post hearing submission from Thomas P. Houston, MD, Director, Department of Preventive Medicine and Public Health, American Medical Association, dated January 12, 1996, with 16 attachments.
507. Post hearing submission from the Styrene Butadiene Latex Manufacturers Council (SBLMC), in a letter from L. Mark Wine, P.C., Kirkland and Ellis, dated January 16, 1996.
508. Post hearing submission from the Chelsea Group Limited, in a letter from George Berida, Chairman and Chief Executive Officer, dated February 1, 1996, submitting a revised bibliography of their December 22, 1996 submission.
509. Post hearing submission from Philip Morris, in a letter from Richard A. Carchman, Ph.D., Director, Scientific Affairs, dated February 7, 1995, submitting position statements, briefs, recommendations and rebuttal of material submitted during the post hearing comment period.
- A. Volume I
 - B. Volume II
 - C. Volume III
 - D. Appendix A
 - E. Appendix B
510. Post hearing submission from ICR Kaiser Environment and Energy Group, in a letter from Stanley M. Greenfield, Ph.D., dated February 9, 1996, forwarding additional materials to supplement their previous testimony.
511. Post hearing brief from the National Energy Management Institute (NEMI), in a letter from Richard L. Gross, Cantor, Floman, Russell, Gross, Kelly and Amendola, P.C., Attorneys and Counselors at Law, dated February 9, 1996, forwarding final analysis and opinions.

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- 512. Post hearing brief from the Building and Construction Trades Department, AFL-CIO, in a letter from Victoria L. Bor, Law Offices of Sherman, Dunn, Cohen, Leifer and Yellig, dated February 8, 1996.
- 513. Post hearing brief from Constangy, Brooks and Smith, LLC, Attorneys at Law, in a letter from Patrick R. Tyson, regarding submittal of post hearing position statements, briefs, recommendations and rebuttal of material submitted during the period post hearing comment period.
- 514. Post hearing brief from Ergotec Association, Inc., in a letter from Bert Dumpé, President, dated February 5, 1996, submitting additional information from RF Bettendorf.
- 515. Post hearing brief from IWG Corporation, in a letter from Lawrence B. Gratt and Willard R. Chappell, dated February 7, 1996, commenting on manuscript by Repace, Jinot and Dayard, Docket Number 340-1753.
- 516. Post hearing brief from the National Licensed Beverage Association, in a letter from James C. Simpson, III, President, dated February 9, 1996.
- 517. Post hearing brief from the Flue-Cured Tobacco Cooperative Stabilization Corporation, in a letter from Arnold Hamm, Research and Technology Manager, dated February 7, 1996.
- 518. Post hearing brief from Cactus Jack's Casino, in a letter from Steve Browne, Owner/General Manager, dated February 6, 1996.
- 519. Post hearing brief from A. Judson Wells, OSHA witness, dated February 8, 1996.
- 520. Post hearing brief from Roth Associates, Inc., in a letter from H. Daniel Roth, Ph.D., dated February 8, 1996, submitting a report titled "Assessment of the ETS Data in the Administrative Record on Pulmonary Function, Respiratory Symptoms, and Asthma."

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521. Post hearing brief of the Bakery, Confectionery and Tobacco Workers International Union, AFL-CIO, dated February 9, 1996, from Frank Hurt, International President, with one appendix.
522. Post hearing brief of the Service Employees International Union, AFL-CIO, CLC, in a letter dated February 9, 1996, from Richard W. Cordtz, International President, with one attachment.
523. Post hearing brief of the Tobacco Institute, in a letter dated February 9, 1996, from Michael D. Granston, Covington and Burling, with individual post hearing comments from Dr. W. Kip Viscusi, Peter N. Lee, Dr. Maxwell Layard and Dr. Maurice LeVois.
524. Post hearing brief of the United States Environmental Protection Agency, in a letter dated February 9, 1996, from Steven Bayard, Ph.D., Statistician, with attachments.
- A. Letter from Michael Callahan, Director, Washington, Office, National Center for Environmental Assessment, to David Gushee, Chairman, Environmental Natural Resources Division, Congressional Research Service, Library of Congress, dated September 29, 1995, submitting comments on the CRS Workshop Draft "Environmental Tobacco Smoke and Lung Cancer Risk" by C. Stephen Redhead and Richard E. Rowberg.
 - B. Letter from Michael Callahan, Director, National Center for Environmental Assessment, Washington Office, to Dan Mulhollan, Director, Congressional Research Service, Library of Congress, dated January 31, 1996, regarding CRS Workshop Draft "Environmental Tobacco Smoke and Lung Cancer Risk."
 - C. EPA comments on the CRS Report "Environmental Tobacco Smoke and Lung Cancer Risk."

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- D. Bayard, S., J. Jinot and G. Flatman. Environmental Tobacco Smoke and Lung Cancer: Uncertainties in the Population Estimates But Not in the Causal Association - A Rejoinder to Gross. Environmetrics 6:no page numbers, 1995. [In press]
- E. Jinot, J. And S. Bayard. Environmental Tobacco Smoke: Science vs. Rhetoric. Risk Analysis 15(1):91-96, 1995.
- F. Letter from William H. Farland, Ph.D., Director, National Center for Environmental Assessment, EPA, to Docket, dated February 12, 1996, withdrawing the following submissions:
- G. Memorandum from James Repace, Center for Pollution and Source Guidance, Indoor Environments Division, Office of Radiation and Indoor Air, EPA, to Dr. Steven Bayard, Office of Health and Environmental Assessment, Office of Research and Development, EPA, dated February 9, 1996, subject: EPA Post-Hearing Comments for the OSHA Indoor Air Rulemaking.
- H. Moghissi, A.A. Environmental Tobacco Smoke: Allegations of Scientific Misconduct. Environment International 21(6):000, 1995. [In Press]
- I. Repace, J.L. and A.H. Lowrey. Environmental Tobacco Smoke: Allegations of Scientific Misconduct. [Letter to the Editor] Environment International 21(6):000, 1995.
- J. Repace, J.L. Dietary nicotine. Won't mislead on passive smoking... British Medical Journal 308:61, 1994.
- K. Jarvis, M.J. ...unless subjects eat 90 kg tomatoes a day. British Medical Journal 308:62, 1994.
- L. Repace, J.L. and A.H. Lowrey. A Rebuttal to Tobacco Industry Criticism of "An Enforceable Indoor Air Quality Standard for Environmental Tobacco Smoke." Risk Analysis 15(1):7-13, 1995.

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525. Post hearing brief of the International Council of Shopping Centers, in a letter dated February 9, 1996, from Regina A. Brown, Manager, Environmental Issues.
526. Post hearing brief of Stanton A. Glantz, Ph.D., OSHA witness, dated January 23, 1996, with 25 attachments.
- A. Celermajer, D.S., M.R. Adams, P. Clarkson, J. Robinson, R. McCredie, A. Donald and J.E. Deanfield. Passive Smoking and Impaired Endothelium-Dependent Arterial Dilatation in Healthy Young Adults. NEJM 334(3):150-154, 1996.
- B. Green, S. Cigarette Smoking and Causal Relationship. 1976.
- C. Office of Environmental Health Assessment. Carcinogenic Effects of Exposure to Environmental Tobacco Smoke: ETS and Lung Cancer (Public Review Draft). Berkeley, CA: California Environmental Protection Agency. January 1996.
- D. Hutchison, S.J., R.E. Sievers, B. Zhu, Y. Sun, K. Sudhir, P.C. Deedwania, W.W. Parmley and K. Chatterjee. Physiological Concentrations of Testosterone Impair Endothelium-dependent Vasorelaxation in Hypercholesterolemic Rabbits Exposed to Tobacco Smoke. Circulation 92(8) (Suppl. 1):I-68, 1995; Lowry, T. Apple of world's eye. '95 a record year for tourism in city; Tharp, P. Posh eateries rush to open more sites. New York Post (Business section), p. 26, Tuesday, June 13, 1995; and Testimony Before The New York City Council, June 6, 1994, by Barry Fogel, Jacopo's Restaurant.
- E. Americans for Nonsmokers' Rights. Economic Impact Studies Commissioned by the Tobacco Industry: Synopsis and Analysis. Berkeley, CA: Americans for Nonsmokers' Rights. July 8, 1993.
- F. Smokefree Education Services, Inc. Philip Morris Front Groups.

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